

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2003-290-C - ORDER NO. 2003-737

DECEMBER 19, 2003

IN RE: Application of TSI Telecommunication	) ORDER GRANTING
Network Services, Inc. for a Certificate of	) PETITION TO
Public Convenience and Necessity to Provide	) INTERVENE
Resold Private Line Services in the State of	) OUT OF TIME
South Carolina.	)

This matter comes before the Public Service Commission of South Carolina (the "Commission") by way of a Petition to Intervene Out of Time (Petition) filed by the South Carolina Telephone Coalition ("SCTC") in the above-captioned proceeding. The present proceeding before the Commission was established upon the filing of an Application by TSI Telecommunication Network Services, Inc. ("TSI") for a Certificate of Public Convenience and Necessity authorizing TSI to resell private line telecommunications services in the State of South Carolina.

The Commission's Executive Director instructed TSI to publish a prepared Notice of Filing regarding TSI's Application in newspapers of general circulation in the affected areas. The purpose of the Notice of Filing was to inform interested parties of the Application of TSI and of the manner and time in which to file the appropriate pleadings for participation in the proceeding. TSI complied with this instruction and provided the Commission with proof of publication of the Notice of Filing. In the present case, pleadings to intervene in the proceeding were to be filed on or before November 26, 2003.

On December 4, 2003, the SCTC filed a Petition to Intervene Out of Time by which the SCTC seeks to intervene in the proceeding with full rights to participate as a party of record. In its Petition, the SCTC asserts that TSI's Application, as currently presented, would impact each of SCTC's member companies, thereby SCTC has an interest in the present proceeding. According to SCTC, its individual member companies provide local exchange telephone service within their respective geographic service areas, and SCTC maintains that statewide certification of new entrant local exchange telecommunications service providers is not appropriate and is not in the public interest. SCTC states its belief that participation of SCTC in this docket is necessary in order to protect its member companies and to provide the Commission with input as to how TSI's Application will affect the telecommunications industry.

SCTC states that it did not become aware of the present proceeding until late-day December 3, 2003, and that to minimize any inconvenience to the Commission and TSI, SCTC's Petition would be hand-delivered by its counsel. SCTC asserts its belief that good cause exists for the Commission to allow its intervention out of time due to the fact that the intervention deadline has passed by only four business days and the fact that TSI's testimony has not yet been filed in this proceeding. Lastly, SCTC alleges that granting of its intervention out of time will not result in prejudice to any party.

Based upon the foregoing, the Commission finds and concludes that:

1. South Carolina Telephone Coalition's Petition to Intervene Out of Time should be granted as the SCTC has provided sufficient reasoning for it to become a

formal party of record. Further, the Commission discerns no prejudice to any party by granting SCTC's Petition to Intervene Out of Time.

2. This Order shall remain in full force and effect until further Order of the Commission.

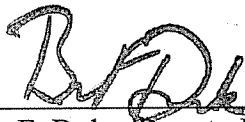
BY ORDER OF THE COMMISSION:



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Mignon L. Clyburn, Chairman

ATTEST:



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Bruce F. Duke, Deputy Executive Director

(SEAL)